

**DEPARTMENT OF CONSUMER AFFAIRS  
LEGISLATIVE DIGEST  
2002 Legislative Session**

**B. BILLS BY DCA BOARD, BUREAU, & PROGRAM**

**(1) ACCOUNTANCY, BOARD OF**

**AB 270  
Correa**

**Accountancy Board Composition**

Ensures that the Board of Accountancy and its enforcement program are independent from the accountancy profession and that the Board is capable of, and willing to, protect the public. Among other things, this bill changes the board's sunset date and revises its composition and membership so that there are more public members than accountants. Also requires licensees to report to the Board certain actions taken against the licensee including civil judgments and settlements.

**Enacted  
Chapter #231**

**AB 425  
Oropeza**

**2002-03 Budget Act**

Authorizes loans from the Board of Accountancy to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the legislature. Urgency Measure Effective July 1, 2002.

**Enacted  
Chapter #379**

**AB 1995  
Correa**

**Audits**

Would have banned certified public accountants licensed in California from doing auditing and consulting for the same client.

**Died on  
Assembly Floor**

**AB 2873  
Frommer**

**Accounting**

Specifies that accountants licensed in California must retain audit documentation for at least seven years, and creates a rebuttable presumption when working papers are not retained that appropriate accounting procedures were not applied. Also defines audit working papers, specifies what they must contain, and authorizes the Board of Accountancy to adopt and implement related regulations.

**Enacted  
Chapter #230**

**AB 2970  
Wayne**

**Accounting: Audits**

Requires a one year 'cooling off period' by prohibiting accountants licensed in California from accepting employment from an audit client within 12 months of issuing a financial statement report on behalf of that client.

**Enacted  
Chapter #232**

**SB 1244  
Figueroa**

**Professions and Vocations**

Contains various provisions relating to professional and vocational boards within the Department of Consumer Affairs. Specifically, this bill contains provisions relating to the Board of Accountancy.

**Enacted  
Chapter #1079**

**SB 1527  
Burton**

**Accountants**

Would have clearly defined “audit” and “non-audit” services as they relate to the accountancy profession in California. Also would have required accounting firms to certify, upon registration with the California Board of Accountancy, that they will not provide non-audit services to audit clients or knowingly have a direct financial interest in any non-audit services provided to a publicly traded audit client.

**Failed in  
Assembly  
Business &  
Professions  
Committee**

**SB 2023  
Figueroa**

**Accountancy Board: License Renewals**

Would have required accounting firms to complete peer reviews before renewing their registration with the California Board of Accountancy beginning January 1, 2004 instead of by the previously mandated deadline of January 1, 2006.

**Failed on  
Assembly Floor**

**(2) ACUPUNCTURE BOARD**

**AB 1943  
Chu**

**Acupuncture: Professional Standards**

Seeks to increase professional standards for acupuncturists to match other primary care practitioners, including chiropractors, psychologists, physicians, and osteopaths, by requiring California-approved acupuncture training programs to include a minimum of 3,000 hours of study, commencing January 1, 2005.

**Enacted  
Chapter #781**

**SB 1951  
Figueroa**

**Acupuncture Board: Sunset Review**

Extends the sunset date of the California Acupuncture Board (Board) for two years to July 1, 2005, with a repeal date of January 1, 2006; requires the Little Hoover Commission to conduct specified comprehensive analyses, including the need to increase the educational requirements for acupuncturists; requires the Board to conduct two specified studies relative to the use of unlicensed assistants and continuing education requirements for licensed acupuncturists; amends existing statutes pursuant to the Acupuncture Board's request; and makes other changes relative to the Board pursuant to recommendations of the Joint Legislative Sunset Review Committee and Department of Consumer Affairs.

**Enacted  
Chapter #714**

**(3) ARCHITECTS BOARD**

**AB 2713  
Cox**

**Professional Negligence**

Would have required the plaintiff or cross-complainant in every action arising out of the professional negligence of a licensed architect, registered professional engineer, or licensed land surveyor, to file a certificate that verifies his/her ability to obtain the opinion of another architect, engineer, or surveyor concerning the professional negligence of the defendant or cross-defendant if he or she is not represented by an attorney.

**Failed in  
Assembly  
Judiciary  
Committee**

<b>SB 256</b> <b>Machado</b>	<b><u>Architects: Settlements and Arbitration Awards</u></b> Would have increased the minimum amount from \$5,000 to \$10,000 for settlements and arbitration awards based on the alleged fraud, deceit, negligence, incompetence, or recklessness in practice of a licensed architect that must be reported to the California Architects Board (CAB) and specified that “the commencement of litigation or arbitration” is the trigger that determines which settlements and arbitration awards must be reported to the CAB.	<b>Failed in Assembly Business &amp; Professions Committee</b>
<b>SB 1102</b> <b>Alarcon</b>	<b><u>Architectural and Engineering Services for Public Contracts</u></b> Would have clarified that public agencies can contract with private vendors for landscape architect services, in the same way that they can contract for architectural and engineering services.	<b>Failed First House</b>
<b>SB 2025</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Sunset Date</u></b> Extends the sunset date for the California Architects Board and Landscape Architects Technical Committee for one year to July 1, 2005, with a repeal date of January 1, 2006. Urgency Measure Effective September 27, 2002.	<b>Enacted Chapter #1012</b>
<b>SB 2034</b> <b>Machado</b>	<b><u>Architects: Settlement or Arbitration Awards</u></b> Would have required an architect, and an insurer that provides professional liability insurance to an architect, to send a report to the California Architects Board on any settlement or arbitration award in excess of \$5,000 and would have increased the minimum amount of a settlement or arbitration award that is required to be reported from \$5,000 to \$10,000.	<b>Failed Senate Business &amp; Professions Committee</b>

#### (4) ATHLETIC COMMISSION

<b>SB 1652</b> <b>Sher</b>	<b><u>Athlete Agents</u></b> Would have created a new program within the Department of Industrial Relations to regulate athlete agents. Specifically, would have prohibited a person from acting as an athlete agent without a certificate of registration issued by the department. Also would have provided contractual protections and disclosure requirements applicable to student athletes.	<b>Vetoed</b>
<b>SB 1738</b> <b>Perata</b>	<b><u>Athletes: Performance Enhancing Substances</u></b> Would have authorized the Athletic Commission (Commission) to require every major professional athletic association holding events in California to provide a performance enhancing substance policy. It would have also required the Commission to review and approve the policy of the specified professional athletic associations prior to holding an event in California.	<b>Failed in Assembly Appropriations Committee</b>
<b>SB 1749</b> <b>Polanco</b>	<b><u>Boxing and Martial Arts</u></b> Requires a professional boxer or martial arts fighter to provide the Athletic Commission with proof of a negative test result for hepatitis C (HCV), in addition to the currently required negative test results for human immunodeficiency virus (HIV) and hepatitis B (HBV), upon application of a license or 181 days after the initial test prior to competing in a match.□	<b>Enacted Chapter #680</b>

## (5) AUTOMOTIVE REPAIR, BUREAU OF (See also Smog Check Program)

**AB 425**  
**Oropeza**

**2002-03 Budget Act**

**Enacted**  
**Chapter #379**

Authorizes loans from the Bureau of Automotive Repair to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.

**AB 2973**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

**Regulation of the Bureau of Automotive Repair**

**Enacted**  
**Chapter #405**

Proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the Bureau of Automotive Repair.

**SB 1331**  
**Speier**

**Salvage Vehicles**

**Enacted**  
**Chapter #670**

See Page (A1)

## (6) BARBERING AND COSMETOLOGY, BUREAU OF

**AB 425**  
**Oropeza**

**2002-03 Budget Act**

**Enacted**  
**Chapter #379**

Authorizes loans from the Bureau of Barbering and Cosmetology to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.

**AB 2449**  
**Correa**

**Barbering and Cosmetology**

**Enacted**  
**Chapter #316**

Requires individuals licensed by the Bureau of Barbering and Cosmetology to provide information about their practice and employment to the Bureau when they renew their licenses. Also requires establishment owners to report the number of booth renters, employees, and independent contractors working in his or her establishment. Requires the Bureau to report to the Legislature regarding the information collected.

**AB 2743**  
**Lowenthal**

**Barbering and Cosmetology Apprenticeship**

**Enacted**  
**Chapter #580**

Requires the Bureau of Barbering and Cosmetology (Bureau) to adopt regulations that would allow apprentices to make application for the licensing examination prior to the completion of their apprenticeship, through the Bureau's existing pre-application process.

**SB 1050**  
**Polanco**

**Barbering and Cosmetology**

**Failed in**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

Would have abolished the Bureau of Barbering and Cosmetology in the Department of Consumer affairs and established the State Board of Barbering and Cosmetology.

<b>SB 1293</b> <b>Haynes</b>	<b><u>Barbering</u></b>  Would have deleted the service of shampooing hair from the scope of practice of barbering and cosmetology.	<b>Failed in Senate Business &amp; Professions Committee</b>
<b>SB 1482</b> <b>Polanco</b>	<b><u>Barbering and Cosmetology</u></b>  Expands state government by re-establishing an independent State Board of Barbering and Cosmetology (Board) within the Department of Consumer Affairs, and thereby shifts management of the Bureau of Barbering and Cosmetology from the Administration to the Board.	<b>Enacted Chapter #1148</b>
<b>SB 1957</b> <b>Polanco</b>	<b><u>Barbering and Cosmetology</u></b>  Serves as the Barbering and Cosmetology Act (Act) clean-up measure. The non-controversial provisions include various enforcement enhancements and necessary conforming and clarifying changes to the Act.	<b>Enacted Chapter #1151</b>
<b>(7) BEHAVIORAL SCIENCES, BOARD OF</b>		
<b>AB 425</b> <b>Oropeza</b>	<b><u>2002-03 Budget Act</u></b>  Authorizes loans from the Board of Behavioral Science to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.	<b>Enacted Chapter #379</b>
<b>AB 1422</b> <b>Thomson</b>	<b><u>Mental Health Advocacy</u></b>  Would have created, until January 1, 2008, the California Mental Health Advocacy Commission, composed of 13 members, and would have required the commission to perform various duties regarding services for the mentally ill. It would have been funded exclusively through private sources.	<b>Vetoed</b>
<b>AB 2772</b> <b>Pacheco, Robert</b>	<b><u>Employee Assistance Programs</u></b>  Would have defined certain terms relating to employment assistance programs, including the scope of practice of persons who provide services in an employee assistance program.	<b>Failed in Senate Business &amp; Professions Committee</b>
<b>AB 2920</b> <b>Aroner</b>	<b><u>California Center on Social Work Careers</u></b>  Would have required the California Health and Human Services Agency to contract with a public or nonprofit entity, to the extent permitted by state law, to establish and administer the California Center on Social Work Careers for the purpose of recruiting qualified and capable individuals into the social work profession. Also would have established a Social Work Careers Concurrence Committee, which would have been required to establish priorities, goals, and general objectives for purposes of this bill and for ensuring that the California Center on Social Work Careers complied with those provisions.	<b>Vetoed</b>

<b>SB 15 Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  Would have addressed issues relating to the peer review discipline process for health care professionals, and would have revised the peer review process by providing sole authority to grant a continuance of a hearing to the arbitrator or presiding officer.	<b>Withdrawn by Author</b>
<b>SB 150 Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  Would have exempted additional proceedings or records of specified organized committees or peer review bodies from the prohibition of discovery and testimony.	<b>Died in Senate Judiciary Committee</b>
<b>SB 564 Speier</b>	<b><u>Healing Arts: Training in Spousal or Partner Abuse Treatment</u></b>  Requires an applicant for licensure as a psychologist, marriage and family therapist, or licensed clinical social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies. Also requires a person already licensed in these professions to take 15 contact hours of training in spousal or partner abuse assessment, detection, and intervention strategies as a part of their continuing education requirements. Specifies that the continuing education provision becomes operative January 1, 2004.	<b>Enacted Chapter #481</b>
<b>SB 953 Vasconcellos</b>	<b><u>Aging</u></b>  Creates the California Coordinated Elder Care and Involvement Act of 2002. It would require any applicant for licensure as a psychologist, social worker, or marriage and family therapist, or for renewal of a license to complete specified educational requirements regarding aging and long-term care.	<b>Enacted Chapter #541</b>
<b>SB 1479 Morrow</b>	<b><u>Premarital Preparation Course</u></b>  See C2	<b>Vetoed</b>
<b>SB 1716 Vasconcellos</b>	<b><u>Alcohol and Drug Abuse Counselors: Licensing and Regulation</u></b>  Would have enacted the Alcohol and Drug Abuse Counselors Licensing Law and would have required the Board of Behavioral Sciences to license and regulate alcohol and drug abuse counselors.	<b>Failed in Assembly Business &amp; Professions &amp; Health Committee</b>
<b>SB 2025 Senate Business &amp; Professions Committee</b>	<b><u>Sunset Date</u></b>  Extends the sunset date for the California Architects Board and Landscape Architects Technical Committee for one year to July 1, 2005, with a repeal date of January 1, 2006. Urgency Measure Effective September 27, 2002.	<b>Enacted Chapter #1012</b>

**SB 2025  
Senate  
Business &  
Professions  
Committee**

**805 Reports: Peer Review**

Requires that an 805 report be filed if a licensee resigns, requests a leave of absence, or withdraws or abandons an application for staff privileges after receiving notice of an impending investigation or denial or rejection of his/her application. Urgency Measure Effective September 27, 2002.

**Enacted  
Chapter #1012**

**SB 2026  
Senate  
Business &  
Professions  
Committee**

**Professions and Vocations**

Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Board of Behavioral Sciences.

**Enacted  
Chapter #1013**

**(8) CEMETERY AND FUNERAL BUREAU**

**SB 17  
Figueroa**

**Crematory Law Enhancement**

Strengthens California's regulatory authority over crematories and cemeteries by expanding the Cemetery and Funeral Bureau's oversight of these industries and increasing the penalties for violations.

**Enacted  
Chapter #819**

**SB 723  
Figueroa**

**Cemetery Act**

Would have given the Cemetery and Funeral Bureau clear statutory authority to inspect cemeteries and would have required the Bureau to conduct annual, unannounced inspections of licensed cemeteries. Also would have given the Bureau the authority to charge examination fees for administering the cemetery manager and crematory manager examinations. These provisions were later enacted in SB 17 (page B8) and SB 1952 (page B8).

**Died in Senate  
Business and  
Professions  
Committee**

**SB 1952  
Figueroa**

**Cemetery and Funeral Bureau**

Makes changes to the Cemetery and Funeral Bureau based on recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs. Among other things, authorizes the Bureau to continue to assess the \$8.50 burial and cremation fee until December 31, 2007. Also requires cemetery managers and crematory managers to be licensed by the Bureau, and authorizes the Bureau to charge exam fees for the cemetery and crematory manager examinations (not to exceed \$900 and \$500 respectively).

**Enacted  
Chapter #825**

**SB 1972  
Polanco**

**Insurance: Surplus Lines**

Would have stated legislative intent to create low-cost burial and transportation insurance to add to the types of insurance available with a non-admitted insurer through a surplus line broker insurance relative to the costs of shipping to and burial in Mexico of a deceased insured.

**Died at  
Assembly Desk**

## (9) CALIFORNIA BOARD OF CHIROPRACTIC EXAMINERS

**AB 15  
Harman**

### **Massage Therapy**

Impacts local jurisdictions relative to the licensing and regulation of the business of massage. Further, the bill exempts from local requirements of licensure or regulation any chiropractor performing massage therapy within the scope of their license.

**Enacted  
Chapter  
#1053**

**SB 1954  
Figueroa**

### **State Board of Chiropractic Examiners: Sunset Review**

Requires the California Board of Chiropractic Examiners (Chiropractic Board) to submit a report to the Legislature on September 1, 2005; thereby, commencing the next sunset review of the Chiropractic Board.

**Enacted  
Chapter #681**

## (10) CONTRACTORS STATE LICENSE BOARD

**AB 264  
Correa**

### **Specialty-Trade Contractors**

Modifies various provisions of the Contractors State License Law relating to a specialty-trade exam by deleting obsolete examination requirements, improving current surety bond procedures to ensure that a contractor reimburses a surety company for payments made on judgments or claims filed against a contractor's bond, and restating that an applicant or licensee must have on file at all times a current and valid Certificate of Workers' Compensation Insurance or Certification of Self-Insurance except in specified circumstances.

**Enacted  
Chapter #31**

**AB 267  
Steinberg**

### **Construction Defects**

Would have implemented revisions to the pre-litigation process ("Calderon Process") for construction defect actions between builders and homeowners' associations in common interest developments of 20 or more units but the language in AB 267 was amended into AB 1700 (Steinberg, Chapter 824, Statutes of 2001).

**Died at  
Senate Desk**

**AB 359  
Cardoza**

### **Pool and Spa Safety**

Requires the Department of Health Services to adopt regulations, on or before December 31, 2002, that provide standards for protection against entrapment in swimming pools and spas and subjects the regulations to the review and approval of the California Building Standards Commission.

**Failed in  
Senate Health  
& Human  
Services**

**AB 425  
Oropeza**

### **2002-03 Budget Act**

Authorizes loans from the Contractors State License Board to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.

**Enacted  
Chapter #379**



<b>AB 543</b> <b>Vargas</b>	<b><u>Mechanics' Liens</u></b>  Would have declared the Legislature's intent to revise and reorganize the laws relating to mechanics' liens and stop-notices to modernize, simplify, and address problems such as the potential for double payment by homeowners.	<b>Died in Senate Rules Committee</b>
<b>AB 568</b> <b>Dutra</b>	<b><u>Mechanics' Liens</u></b>  Would have provided that if a home improvement contract, as defined, is executed in an amount not exceeding \$25,000, the home owner may set off the amount of good-faith payments to the original contractor against the aggregate amount of enforceable mechanic's liens and stop-notice claims, in an amount not exceeding \$25,000.	<b>Died - Sent to Interim Study</b>
<b>AB 600</b> <b>Dutra</b>	<b><u>Home Construction Defects and Warranties</u></b>  Would have significantly altered private tort rights by authorizing participating homebuilders to offer home construction warranties as an alternate to construction defect lawsuits and required the Contractors State License Board to certify licensed general contractors as participating homebuilders authorized to offer consumers a state-sanctioned 10-year home warranty against construction defects.	<b>Failed First House</b>
<b>AB 728</b> <b>Correa</b>	<b><u>Contractors: Arbitration of Disputes</u></b>  Increases the contract amount or damages eligible for mandatory binding arbitration from \$5,000 to \$7,500 and deletes the requirement that a contractor's license be in good standing at the time of referral to arbitration by the Contractors State License Board.	<b>Enacted Chapter #312</b>
<b>AB 752</b> <b>Briggs</b>	<b><u>Advertising Legal Services for Construction Defects</u></b>  Would have required advertisements for legal services relating to home construction defects to disclose specified information, including attorney's fees, legal obligations imposed on homeowners upon a finding that their home has or may have a construction defect, and potential financial impacts that may result if a homeowner does not rectify a discovered home construction defect. Would have made a violation of these provisions by the attorney grounds for disciplinary action by the State Bar.	<b>Failed First House</b>
<b>AB 794</b> <b>Shelley</b>	<b><u>Contractors: Liability</u></b>  Would have prohibited a licensed contractor from insulating himself from liability for his/her negligence on willful misconduct that results in harm.	<b>Failed First House</b>
<b>AB 1362</b> <b>Wiggins</b>	<b><u>Buildings: Rehabilitation</u></b>  Would have established the California Building Rehabilitation Code Advisory Council, which would have been required to recommend whether development of a California building rehabilitation guideline would improve the reuse and safety of existing buildings, and whether it should be adopted as an appendix to the California Building Standards Code.	<b>Died in Senate Housing &amp; Community Development Committee</b>

<b>AB 1796 Strickland</b>	<b><u>Construction Projects: Minors</u></b>  Would have provided that a nonprofit religious, civic, or youth organization may allow minors 16 years of age and older to volunteer on construction projects undertaken in furtherance of the organization's purpose, if the organization complies with specified conditions.	<b>Failed Assembly Labor &amp; Employment Committee</b>
<b>AB 1822 Vargas</b>	<b><u>Construction Contractors Line of Credit and Contract Management Program</u></b>  Would have created the "Construction Contractors Line of Credit and Contract Management Program" within the Office of Small Business to provide short-term working capital to small and emerging contractors in the construction industry. This program would have also provided technical assistance in construction-oriented business management.	<b>Died in Assembly Appropriation s Committee</b>
<b>AB 1839 Campbell, Bill</b>	<b><u>Indemnity: Public Agency</u></b>  Would have prohibited a public agency from inserting indemnity provisions in a public works contract that requires a licensed architect, registered professional engineer, or licensed land surveyor to defend, indemnify or "hold harmless" a public agency from any claim or action.	<b>Died in Senate Judiciary Committee</b>
<b>AB 2418 Dutra</b>	<b><u>Construction Defect Litigation</u></b>  Would have expressed the Legislature's intent to protect the interests of homeowners and subsequent purchasers against construction defects and to require that defects be repaired.	<b>Died in Senate Rules Committee</b>
<b>AB 2455 Negrete McLeod</b>	<b><u>Swimming Pool Safety</u></b>  Would have required, commencing January 1, 2003, that, at a private, single-family home, whenever a construction permit is issued for construction of a new swimming pool or spa, or a building permit is issued for the remodeling of an existing pool or spa, the swimming pool or spa must be equipped with at least 2 of the specified drowning prevention safety features.	<b>Failed Senate Appropriation s Committee</b>
<b>AB 2544 Campbell, Bill</b>	<b><u>Contractors: Home Improvement Salespersons</u></b>  Requires the Contractors State License Board to post on a weekly basis certain information regarding the status of unprocessed home improvement salesperson applications on its website.	<b>Enacted Chapter #372</b>
<b>AB 2632 Daucher</b>	<b><u>Public Works Contracts: Payment Bonds</u></b>  Would have specified that the payment bond required on public works contracts that exceeds \$25,000 does not apply to a contract awarded by a public entity to an original contractor for any public work that involves an expenditure of less than \$1,000,000 if, pursuant to the contract, the original contractor agrees not to receive any advance, progress, or liquidation payment, and further agrees to wait for any payment until the job is satisfactorily completed, the notice of completion is issued, and the period for filing workman and material liens has passed.	<b>Failed Assembly Business &amp; Professions Committee</b>

<b>AB 2693</b> <b>Wyman</b>	<b><u>Contractors: Limited Recovery</u></b>  Would have revised the law enacted by last year's AB 678 (Papan, Chapter 226, Statutes of 2001) that allows a consumer to recover any compensation paid to an unlicensed contractor by limiting recovery to compensation paid to a contractor during a period of time when the contractor was not licensed.	<b>Failed Senate Judiciary Committee</b>
<b>AB 2724</b> <b>Runner</b>	<b><u>Contractor Bonds</u></b>  Would have made various changes to the provisions of law regulating contractors in order to conform them to provisions applicable to limited liability companies, including requiring limited liability companies to file a contractor's bond with the registrar of contractors as a condition precedent to the issuance, reissuance, renewal, or restoration of a contractor's license.	<b>Dropped by Author</b>
<b>AB 2757</b> <b>Calderon</b>	<b><u>Construction Defects Notice to Builders: Right to Repair</u></b>  Would have prohibited the filing of an action for construction defects against the builder of an improvement to real property unless the builder is given at least 90 days notice of the facts and legal theories upon which the action will be based, during which time the builder would have the right to enter the property to inspect and repair the claimed defects.	<b>Failed in Assembly Judiciary Committee</b>
<b>AB 2816</b> <b>Shelley</b>	<b><u>Workers' Compensation: Contractors: Temporary Labor</u></b>  Requires that, when a temporary agency enters into a contract with a licensed contractor to provide temporary employees, the temporary agency must pay the workers' compensation premiums for the temporary employee based on the licensed contractor's history for job-site safety.	<b>Enacted Chapter #1098</b>
<b>AB 2870</b> <b>Harman</b>	<b><u>Building Inspections: Liability</u></b>  Would have provided that there is no personal monetary liability on the part of any person who is under contract with an applicant for a residential building permit to check the plans and specifications provided with the application in order to determine compliance with all applicable requirements imposed by law, rules or regulations or to inspect a work of improvement to determine compliance with these plans and specifications.	<b>Failed Assembly Judiciary Committee</b>
<b>SB 332</b> <b>Sher</b>	<b><u>Building Standards: Straw-Bale Structures</u></b>  Revises the safety guidelines for the construction of structures, including single-family dwellings, that use baled rice straw as loadbearing or nonloadbearing material. Also requires the guidelines to apply to the construction of all structures that use baled straw as a loadbearing or nonloadbearing material within a city or county that has adopted the guidelines in existing law prior to January 1, 2002.	<b>Enacted Chapter #31</b>
<b>SB 355</b> <b>Escutia</b>	<b><u>Liability: Construction Defects</u></b>  Would have, for the purpose of tort actions, defined "construction defect" as meaning a defect in design, materials, or workmanship that occurs during the original construction of the improvement or in connection with any warranty repair work, and in the case of a common interest development, includes construction or repair work in all common areas.	<b>Died in Assembly Judiciary Committee</b>

<b>SB 800 Burton</b>	<b><u>Liability: Construction Defects</u></b>  Specifies a homeowner's rights and requirements with regard to bringing an action for construction defects, including applicable standards for home construction, statute of limitations, burden of proof, recoverable damages, and homeowners' obligations. Also specifies a detailed pre-litigation procedure and provides third-party inspectors with immunity from liability.	<b>Enacted Chapter #722</b>
<b>SB 938 Margett</b>	<b><u>Works of Improvement: Liens</u></b>  Would have required the owner of a private work of improvement to notify, by registered or certified mail, the original contractor, and any claimant who has provided a preliminary 20-day notice prior to the recording of a mechanic's lien or stop notice, that a notice of completion or notice of cessation has been recorded within 10 days of recording that notice of completion or notice of cessation.	<b>Failed in Assembly Judiciary Committee</b>
<b>SB 1148 Margett</b>	<b><u>Contractors Board</u></b>  Would have made nonsubstantive changes to provisions under the Contractors State License Law which authorize the Contractors' State License Board to appoint committees and to make necessary rules and regulations.	<b>Failed First House</b>
<b>SB 1332 Figueroa</b>	<b><u>Home Inspectors</u></b>  See Page (A2)	<b>Failed in Assembly Business &amp; Professions Committee</b>
<b>SB 1726 Vasconcellos</b>	<b><u>Pool and Spa Safety</u></b>  Requires all new public and private swimming pools and spas to meet specific design requirements in order for a construction permit to be issued to prevent serious injuries or death that can result from entrapment in drains. Also provides that if the United States Consumer Product Safety Commission adopts new standards relating to entrapment hazards in swimming pools and spas, the Director of the Department of Health Services must review the standards within 90 days of their adoption, and make recommendations to the Governor and the Legislature regarding whether the state should adopt the new federal standards.	<b>Enacted Chapter #679</b>
<b>SB 1904 Vasconcellos</b>	<b><u>School Facilities Construction and Modernization: Design-Build Contracts</u></b>  Would have authorized a school district to use an alternative process for selecting a firm to execute a "design-build" contract, based upon the design-build entity's qualifications, experience and expertise.	<b>Failed Assembly Business &amp; Professions Committee</b>
<b>SB 1919 Figueroa</b>	<b><u>Contractors: Bonds</u></b>  Provides for an incremental increase in the bond requirement for licensed contractors and specifies that any amount of the contractor's bond in excess of the existing requirement would be exclusively for the benefit of homeowners damaged as a result of a violation of Contractors State License Law.	<b>Enacted Chapter #1123</b>

**SB 1953  
Figueroa**

**Contractors: Sunset Dates**

**Enacted  
Chapter #744**

Extends the sunset dates for the Contractors State License Board (CSLB) and the CSLB Enforcement Program Monitor; authorizes CSLB to raise specified licensing fees for enforcement program enhancement; requires fingerprints from applicants for conducting criminal history record checks; and authorizes CSLB to access information from the Employment Development Department to verify an applicant's employment history.

**SB 2026  
Senate  
Business &  
Professions  
Committee**

**Professions and Vocations**

**Enacted  
Chapter  
#1013**

Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Contractors' State License Board and other related programs.

**(11) COURT REPORTERS BOARD**

**AB 2842  
Harman**

**Depositions: Recordings**

**Enacted  
Chapter  
#1068**

Contains provisions adapted from the 2002 Legislative Proposals of the Court Reporters Board of California and amends deposition statutes to reflect current technology uses.

**SB 805  
McPherson**

**Court Reporters: Depositions**

**Failed in  
Assembly  
Judiciary  
Commission**

Would have excluded, from recordings of a deposition available to parties, any nonstenographic technology used by a deposition officer and any data recorded by means of nonstenographic technology.

**SB 1244  
Figueroa**

**Professions and Vocations**

**Enacted  
Chapter  
#1079**

Contains various provisions relating to professional and vocational boards within the Department of Consumer Affairs. Specifically, this bill contains provisions relating to the Court Reporters Board.

**SB 1371  
Morrow**

**Court Reporting**

**Enacted  
Chapter #71**

Updates the Code of Civil Procedure with respect to court reporters as the result of trial court unification.

**SB 2025  
Senate  
Business &  
Professions  
Committee**

**Sunset Date**

**Enacted  
Chapter  
#1012**

Extends the sunset date for the Court Reporters Board of California for one year to July 1, 2006, with a repeal date of January 1, 2007. Urgency Measure Effective September 27, 2002.

**(12) DENTAL BOARD**

**AB 425  
Oropeza**

**2002-03 Budget Act**

**Enacted  
Chapter #379**

Authorizes loans from the Dental Board to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.

<b>AB 982</b> <b>Firebaugh</b>	<p><b><u>Health Care</u></b></p> <p>Establishes the Dental Loan Repayment Program of 2002, the Physician Loan Repayment Program of 2002 and the California Medical and Dental Student Loan Repayment Program of 2002. Known collectively as the Community Healthcare Service Expansion Act, these programs will increase the number of health care providers who are willing and able to practice in medically under-served areas and expand access to health care services for California's diverse populations.</p> <p>In his signing message, the Governor stated that he signed AB 982 with the understanding that the Medical and Dental Boards of California, together with the Office of Statewide Health Planning and Development, are to implement AB 982 within their existing resources.</p>	<b>Enacted</b> <b>Chapter</b> <b>#1131</b>
<b>AB 1026</b> <b>Oropeza</b>	<p><b><u>Dental Advertising</u></b></p> <p>Restricts the conditions that a licensed dentist may advertise him/herself as a "specialist" or advertise an area of practice specialization.</p>	<b>Enacted</b> <b>Chapter #313</b>
<b>AB 1045</b> <b>Firebaugh</b>	<p><b><u>Healing Arts: Practice</u></b></p> <p>Creates the Licensed Physicians and Dentists from Mexico Pilot Program and allows up to 30 physicians and 30 dentists from Mexico to practice medicine and dentistry, on a limited basis, in California's medically under-served areas. These physicians and dentists are to be granted three-year non-renewable licenses and permits, respectively. This legislation also allows international medical graduates, who have passed their United States medical license examination, to participate in a separate pilot program. These pilot programs are not to go forward unless funding is obtained from non-profit philanthropic entities.</p> <p>The Medical and Dental Boards of California are to provide oversight of these pilot programs. In his signing message, the Governor stated that he expects the affected Departments and Boards to carefully monitor AB 1045's implementation, including its effectiveness and the quality of care to be provided.</p>	<b>Enacted</b> <b>Chapter</b> <b>#1157</b>
<b>AB 2270</b> <b>Dickerson</b>	<p><b><u>Dental Fillings: Mercury</u></b></p> <p>Would have phased out in five years the use of mercury (amalgam) dental fillings.</p>	<b>Failed in</b> <b>Assembly</b> <b>Committee on</b> <b>Health</b>
<b>AB 2818</b> <b>Aanestad</b>	<p><b><u>Registered Dental Hygienists: Licensure by Credential</u></b></p> <p>Provides licensure by credential for out-of-state dental hygienists, which allows the Dental Board to waive California's clinical examination for an out-of-state registered dental hygienist. The statute also requires the Dental Board to prepare a report to the Legislature by January 1, 2006 regarding the impact of this statute on the availability of registered dental hygienists in California.</p>	<b>Enacted</b> <b>Chapter #691</b>

<b>AB 2821</b> <b>Chan</b>	<b><u>Dentistry: Licensing Renewal Fees</u></b>  Would have authorized the Dental Board of California to reduce the biennial renewal fees for licensed dentists that provide specified pro bono services.	<b>Held in Assembly Appropriation s Committee</b>
<b>SB 15</b> <b>Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7)	<b>Withdrawn by Author</b>
<b>SB 150</b> <b>Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7)	<b>Died in Senate Judiciary Committee</b>
<b>SB 573</b> <b>Burton</b>	<b><u>Special Permit for Out-of-State Dentists</u></b>  Would have authorized the Dental Board to issue a special permit allowing out-of-state dentists to practice in primary care clinics if the applicant satisfies specified requirements, which did not require passing a California licensure examination. This bill was substantially amended to remove the provisions relative to the Dental Board.	<b>Withdrawn by Author</b>
<b>SB 1589</b> <b>Perata</b>	<b><u>Dental Hygienists: Practice Setting</u></b>  Allows registered dental hygienists in alternative practice to practice under safety net organizations and public health entities to provide basic dental health care to indigent or underserved populations.	<b>Enacted Chapter #811</b>
<b>SB 1955</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  Implements the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs. Most significantly, contains provisions relating to the Dental Board.	<b>Enacted Chapter #1150</b>
<b>SB 2019</b> <b>Speier</b>	<b><u>Health Care Practitioners: Student Loans</u></b>  Authorizes a licensing board to cite, fine, and deny the license application or renewal for a health care practitioner who is in default on any specified educational loan or service obligation. Proceeds from the fines will be deposited into the appropriate account of each board.	<b>Enacted Chapter #683</b>
<b>SB 2021</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Healing Arts</u></b>  Sponsored by the Department of Consumer Affairs, and proposes technical amendments that either enact, amend, or repeal provisions relating to the Dental Board of California.	<b>Enacted Chapter #1011</b>
<b>SB 2022</b> <b>Figueroa</b>	<b><u>Registered Dental Hygienists: Scope of Practice</u></b>  Defines and codifies the scope of practice for registered dental hygienists.	<b>Enacted Chapter #810</b>

**SB 2025  
Senate  
Business &  
Professions  
Committee**

**805 Reports: Peer Review**

Requires that an 805 report be filed if a licentiate resigns, requests a leave of absence, or withdraws or abandons an application for staff privileges after receiving notice of an impending investigation or denial or rejection of his/her application. Urgency Measure Effective September 27, 2002.

**Enacted  
Chapter  
#1012**

**AB 372  
Nation**

**Home Warranty and Service Contracts**

Would have removed the Department of Insurance's jurisdiction over home warranties (except those in connection with real estate sales, and those that cover heating, cooling, electric wires and plumbing), and instead placed jurisdiction within the Department of Consumer Affairs' Bureau of Electronic and Appliance Repair.

**Failed First  
House**

**AB 2086  
Bogh**

**Consumer Goods: Warranties: Service and Repair Facilities**

Would have removed the one-year limit on express warranty service and repair contracts between product manufacturers and independent service and repair facilities. Additionally, would have removed a provision of existing law that provides that compensation rates in these contracts must conform to rates charged by the independent service dealer for like services or repairs to customers who are not entitled to warranty protection, less a good faith discount related to reduced credit and general overhead cost factors arising from the manufacturer's payment of warranty charges direct to the independent service and repair facility.

**Died in  
Senate  
Judiciary &  
Business &  
Professions  
Committee**

**AB 2973  
Assembly  
Business &  
Professions  
Committee**

**Regulation of the Bureau of Electronic and Appliance Repair**

This Department of Consumer Affairs-sponsored statute proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the Bureau of Electronic and Appliance Repair. This statute would streamline DCA's annual reporting requirements.

**Enacted  
Chapter #405**

**(14) ENGINEERS AND LAND SURVEYORS,  
BOARD FOR PROFESSIONAL**

**AB 535  
Campbell,  
John**

**Engineers: Disciplinary Action**

Would have authorized the Board of Professional Engineers and Land Surveyors to discipline a licensed engineer who had been convicted of insurance fraud.

**Died at  
Assembly  
Clerks Desk**

**AB 1839  
Campbell,  
Bill**

**Indemnity: Public Agency**

See Page (B9)

**Died in  
Senate.  
Judiciary  
Committee.**

**AB 2713  
Cox**

**Professional Negligence**

See Page (B3)

**Failed in  
Assembly  
Judiciary  
Committee**



<b>AB 2853</b> <b>Diaz</b>	<b><u>State Employees: Engineers: Salary Parity</u></b>	<b>Vetoed</b>
	Would have required that state employees in specified engineer and related classifications receive salaries no less than salaries received by their counterparts in larger local agencies and the University of California based on a specified survey of the Department of Personnel Administration and calculated in a specified manner.	
<b>SB 1102</b> <b>Alarcon</b>	<b><u>Architectural and Engineering Services for Public Contracts</u></b>	<b>Failed First House</b>
	See Page (B9)	
<b>SB 1955</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>	<b>Enacted Chapter #1150</b>
	See Page (B11)	
<b>SB 1958</b> <b>Polanco</b>	<b><u>Environmental Assessment</u></b>	<b>Failed Senate Environmental Quality Committee</b>
	Would have required an applicant for registration as a Class II Environmental Assessor be either an engineer licensed as a civil, electrical, or mechanical engineer pursuant to the Profession Engineers Act or a geologist registered pursuant to the Geologist and Geophysicist Act.	
<b>SB 2025</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Sunset Date</u></b>	<b>Enacted Chapter #1012</b>
	Extends the sunset date for the Board for Professional Engineers and Land Surveyors for one year to July 1, 2005, with a repeal date of January 1, 2006. Urgency Measure Effective September 27, 2002.	
<b>SB 2026</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Professions and Vocations</u></b>	<b>Enacted Chapter #1013</b>
	Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Board of Professional Engineers and Land Surveyors, and other related programs.	

## (15) GEOLOGISTS AND GEOPHYSICISTS, BOARD FOR

<b>SB 1958</b> <b>Polanco</b>	<b><u>Environmental Assessment</u></b>	<b>Failed Senate Environmental Quality Committee</b>
	See Page (B13)	
<b>SB 2025</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Sunset Date</u></b>	<b>Enacted Chapter #1012</b>
	Extends the sunset date for the Board for Geologists and Geophysicists for one year to July 1, 2006, with a repeal date of January 1, 2007. Urgency Measure Effective September 27, 2002.	

## (16) GUIDE DOGS FOR THE BLIND, BOARD OF

**AB 2973**  
**Committee**  
**on Business**  
**and**  
**Professions**

**Regulation of the Board of Guide Dogs for the Blind**

**Enacted**  
**Chapter #405**

This Department of Consumer Affairs-sponsored statute proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the Board of Guide Dogs for the Blind.

**(17) HEARING AID DISPENSERS BUREAU**

**AB 1914**  
**Kehoe**

**Hearing Aids**

**Enacted**  
**Chapter #704**

Adds licensed hearing aid dispensers to the list of authorized providers reimbursable by Medi-Cal for performing hearing aid assessments.

**SB 2021**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

**Healing Arts**

**Enacted**  
**Chapter**  
**#1011**

Sponsored by the Department of Consumer Affairs, and proposes technical amendments that either enact, amend, or repeal provisions relating to the Hearing Aid Dispensers Bureau.

**(18) HOME FURNISHINGS AND THERMAL INSULATION,  
BUREAU OF**

**AB 2086**  
**Bogh**

**Consumer Goods: Warranties: Service and Repair Facilities**

**Died in**  
**Senate**  
**Judiciary &**  
**Business &**  
**Professions**  
**Committee**

See Page (B12)

**AB 2973**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

**Regulation of Bureau of Home Furnishings and Thermal Insulation**

**Enacted**  
**Chapter #405**

This Department of Consumer Affairs-sponsored statute proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the Bureau of Home Furnishings and Thermal Insulation.

**(19) LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

No bills introduced in the 2002 legislative session.

**(20) MEDICAL BOARD**

**AB 425**  
**Oropeza**

**2002-03 Budget Act**

**Enacted**  
**Chapter #379**

Requires the Medical Board to designate a liaison to assist international medical graduates through the appropriate programs to facilitate their licensure and reentry into their profession. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. Urgency Measure Effective July 1, 2002.

<b>AB 982 Firebaugh</b>	<b><u>Health Care</u></b> See Page (B11)	<b>Enacted Chapter #1131</b>
<b>AB 1045 Firebaugh</b>	<b><u>Healing Arts: Practice</u></b> See Page (B11)	<b>Enacted Chapter #1157</b>
<b>AB 1158 Cardenas</b>	<b><u>Medical Professionals: Sex Offenses</u></b> Would have made it a felony for any physician, nurse, physician assistant, nursing assistant, X-ray technician, mental health care professional, or any person who falsely pretends to be one of these specified medical professionals, to perform or prolong a genital examination, including a female pelvic examination, a rectal examination, or a breast examination solely for the purpose of sexual gratification, arousal, or abuse.	<b>Died on Assembly Floor</b>
<b>AB 1562 Aanestad</b>	<b><u>Telemedicine: Incentives</u></b> Would have declared legislative intent to enact legislation to create incentives for the practice of telemedicine, which is defined as the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications.	<b>Died at Assembly Desk</b>
<b>AB 1745 Nakano</b>	<b><u>Emergency Services: Registry: Physicians</u></b> Would have required the Emergency Medical Services Authority, in collaboration with the State Department of Health Services, to create a registry of qualified physicians to be used in cases involving biological hazards, infectious diseases, or chemical attacks. Also would have required the authority to maintain the registry and to furnish information in the registry to appropriate state agencies and county health departments.	<b>Failed in Assembly Appropriation s Committee</b>
<b>AB 2020 Correa</b>	<b><u>Contact Lens Prescriptions</u></b> Allows patients to competitively shop for contact lenses by requiring optometrists and ophthalmologists to release contact lens prescriptions.	<b>Enacted Chapter #814</b>
<b>AB 2194 Jackson</b>	<b><u>Obstetrics and Gynecology Residency Requirements</u></b> Requires all residency programs in obstetrics and gynecology to comply with the program requirements for residency education in obstetrics and gynecology of the Accreditation Council for Graduate Medical Education.	<b>Enacted Chapter #384</b>
<b>AB 2385 Campbell, Bill</b>	<b><u>Healing Arts</u></b> Requires the Medical Board to keep a copy of a complaint concerning the unprofessional conduct of a licensee for seven years or until the statute of limitations for filing an accusation has expired (whichever is shorter), even if the board determines that there is insufficient evidence to proceed with a disciplinary action.	<b>Enacted Chapter #816</b>

**AB 2459**  
**Diaz**

**Physicians and Surgeons: Prostate Cancer**

**Enacted**  
**Chapter #531**

Requires the Department of Health Services (DHS) to send an updated copy of the summary regarding alternative methods of treatment of prostate cancer required by existing law to the Medical Board every time the summary is modified and requires the Board to make the updated summary available to its physicians and surgeons. Also requires both DHS and the Board to update their Web sites every time the summary is modified.

**AB 2655**  
**Matthews**

**Schedule II Controlled Substances**

**Enacted**  
**Chapter #345**

Extends the sunset date from July 1, 2003 to July 1, 2008 of the Department of Justice's (DOJ) Controlled Substance Utilization Review and Evaluation System (CURES), which monitors the dispensing of Schedule II controlled substances. Further, this statute allows specified health care providers to request from CURES the history of controlled substances dispensed to an individual under his/her care, and permits the DOJ to initiate the referral of this history information to a patient's practitioner and/or pharmacist.

**AB 2831**  
**Simitian**

**Health Records: Delivery of Lab Test Results by Internet Posting**

**Enacted**  
**Chapter #128**

Exempts from a provision of law requiring patients to give written consent, as specified, direct communication by electronic means (email) between a treating health care professional who ordered a laboratory test and a patient, in order to receive laboratory results by electronic means. Also permits certain test results that are otherwise prohibited from being conveyed to the patient electronically to be conveyed by electronic means if there is no malignancy revealed in the test results.

<b>AB 2872 Thomson</b>	<b><u>Healing Arts: Physicians and Surgeons</u></b>  Requires the Medical Board of California (MBC), in consultation with California medical schools, the Office of Statewide Health Planning and Development and others, as specified, to study methods to reactivate the Fifth Pathway Program in California. The Fifth Pathway Program (FPP), was created in 1971 by the Council on Medical Education of the American Medical Association. The FPP is an academic program specifically for American medical students studying abroad that serves as a new route to approved postgraduate residency training programs. The MBC is required to submit a report on its findings to the Legislature by July 1, 2003.	<b>Enacted Chapter #1136</b>
<b>SB 15 Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7).	<b>Withdrawn by Author</b>
<b>SB 150 Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7)	<b>Died in Senate Judiciary Committee</b>
<b>SB 577 Burton</b>	<b><u>Complementary and Alternative Health Care Practitioners</u></b>  Provides that a person is not in violation of specified provisions of the Medical Practice Act that prohibits the practice of medicine without being licensed as a physician, as long as the person does not engage in specified acts, as defined, and also makes specified disclosures to each client, which the client must acknowledge receipt of in writing.	<b>Enacted Chapter #820</b>
<b>SB 1162 Polanco</b>	<b><u>University of California: Charles R. Drew/UCLA Undergraduate Medical Education Program</u></b>  Requests the Regents of the University of California, as a component of the current assessment of the University of California's medical education program, to consider the expansion of the joint Charles R. Drew/UCLA Undergraduate Medical Education Program and requires a report to the Legislature be submitted by June 30, 2003 summarizing their findings.	<b>Enacted Chapter #1140</b>
<b>SB 1244 Figueroa</b>	<b><u>Professions and Vocations</u></b>  Contains various provisions relating to professional and vocational boards within the Department of Consumer Affairs. Specifically, this bill contains provisions relating to the Medical Board of California. The Governor's signing message removed authorization for the Medical Board to utilize \$300,000 from its contingent fund to complete a peer review study required by SB 26 of 2001.	<b>Enacted Chapter #1079</b>

<b>SB 1907</b> <b>Murray</b>	<b><u>Healing Arts: Referrals</u></b>  Conforms state law to federal law regulating physician referrals of patients to specified persons or entities. This statute also affects a corresponding section of the state workers' compensation law.	<b>Enacted</b> <b>Chapter #309</b>
<b>SB 1943</b> <b>Perata</b>	<b><u>Schedule II Controlled Substances</u></b>  Would have made the Department of Justice's (DOJ) Controlled Substance Utilization Review and Evaluation System (CURES) a permanent program by repealing the program's sunset date, and would have appropriated \$300,000 from the General Fund to the DOJ for the ongoing operation of CURES.	<b>Withdrawn by</b> <b>Author</b>
<b>SB 1950</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  Enacts one of six sunset review bills authored by Senator Figueroa, Chair of the Joint Legislative Sunset Review Committee (JLSRC), intended to implement legislative changes as recommended by the JLSRC. In addition to other recommendations, this statute extends the Medical Board until July 1, 2005. Most significantly, this statute requires the Medical Board to disclose medical malpractice settlements.	<b>Enacted</b> <b>Chapter</b> <b>#1085</b>
<b>SB 2019</b> <b>Speier</b>	<b><u>Health Care Practitioners: Student Loans</u></b>  See Page (B11)	<b>Enacted</b> <b>Chapter #683</b>
<b>SB 2025</b> <b>Senate</b> <b>Business &amp;</b> <b>Professions</b> <b>Committee</b>	<b><u>Medical Board: Report Requirement</u></b>  Extends the Medical Board's reporting date to April 1, 2004, on its findings relative to a pilot program of early detection of potential quality problems and resolutions. <b>Urgency Measure Effective September 27, 2002.</b>	<b>Enacted</b> <b>Chapter</b> <b>#1012</b>
<b>SB 2025</b> <b>Senate</b> <b>Comm on</b> <b>Business</b> <b>and</b> <b>Professions</b>	<b><u>805 Reports: Peer Review</u></b>  Requires that an 805 report be filed if a licensee resigns, requests a leave of absence, or withdraws or abandons an application for staff privileges after receiving notice of an impending investigation or denial or rejection of his/her application. <b>Urgency Measure Effective September 27, 2002.</b>	<b>Enacted</b> <b>Chapter</b> <b>#1012</b>
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<b>SB 1244</b> <b>Figueroa</b>	<b><u>Professions and Vocations</u></b>  Contains various provisions relating to professional and vocational boards within the Department of Consumer Affairs. Specifically, this bill contains provisions relating to the Medical Board of California, the Occupational Therapy Board, the Board of Accountancy, and the Court Reporters Board. The Governor's signing message removed authorization for the Medical Board to utilize \$300,000 from its contingent fund to complete a peer review study required by SB 26 of 2001.	<b>Enacted</b> <b>Chapter</b> <b>#1079</b>

## **(22) OCCUPATIONAL THERAPY, BOARD OF**

**SB 1244**  
**Figueroa**

### **Professions and Vocations**

Contains various provisions relating to professional and vocational boards within the Department of Consumer Affairs. Specifically, this bill contains provisions relating to the Occupational Therapy Board.

**Enacted**  
**Chapter**  
**#1079**

**SB 1402**  
**Murray**

### **Occupational Therapy: Scope of Practice**

Is a clean-up bill to SB 1046 (Murray/2000) to clarify the scope of practice of occupational therapists. Specifically, the statute revises the definition of "hand therapy," specifies what advanced practices may be performed by a licensed occupational therapist, and revises the education training and competency requirements to perform these advanced practices.

**Enacted**  
**Chapter #823**

**SB 2021**  
**Committee**  
**on Business**  
**and**  
**Professions**

### **Healing Arts**

Sponsored by the Department of Consumer Affairs, and proposes technical amendments that either enact, amend, or repeal provisions relating to the Board of Occupational Therapy.

**Enacted**  
**Chapter**  
**#1011**

## **(23) OPTOMETRY, BOARD OF**

**AB 2020**  
**Correa**

### **Contact Lens Prescriptions**

See Page (B19)

**Enacted**  
**Chapter #814**

**SB 1955**  
**Figueroa**

### **Healing Arts**

Implements the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs for the Optometry Board. Most significantly, this statute abolishes the current Optometry Board and creates a new Board on January 1, 2003.

**Enacted**  
**Chapter**  
**#1150**

**SB 2019**  
**Speier**

### **Health Care Practitioners: Student Loans**

See Page (B11)

**Enacted**  
**Chapter #683**

## **(24) OSTEOPATHIC MEDICAL BOARD**

**AB 425**  
**Oropeza**

### **2002-03 Budget Act**

Authorizes loans from the Osteopathic Medical Board to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. **Urgency Measure Effective July 1, 2002.**

**Enacted**  
**Chapter #379**

**SB 2019**  
**Speier**

### **Health Care Practitioners: Student Loans**

See Page (B11)

**Enacted**  
**Chapter #683**

**SB 2025**  
**Senate**  
**Comm on**  
**Business**  
**and**  
**Professions**

**Osteopathic Medical Board: Sunset Report Requirement**

Extends the reporting date by one year to September 1, 2004, for the Board to submit a report to the Joint Legislative Sunset Review Committee; thereby, commencing the next sunset review process of the Board. **Urgency Measure Effective September 27, 2002.**

**Enacted**  
**Chapter**  
**#1012**

**(25) PHARMACY, BOARD OF**

**AB 108**  
**Strom-Martin**

**Pharmacist: Licensure Examination**

Would have required the Board of Pharmacy to administer its licensing examination 12 times per year at various sites in California.

**Died on**  
**Assembly**  
**Third Reading**  
**File**

**AB 225**  
**Washington**

**Psychotropic Drugs: Children**

Would have made it unprofessional conduct to prescribe, dispense, or furnish psychotropic drugs (such as ritalin) to a dependent child or ward of the court without an order from the juvenile court; required the Board of Pharmacy to take disciplinary action against a pharmacist who violates this provision; and contained additional provisions regarding the prescribing, administering, and furnishing of psychotropic drugs without an order from the juvenile court.

**Died in**  
**Assembly**  
**Health**  
**Committee**

**AB 394**  
**Maddox**

**Unlicensed Activity: Dispensing or Furnishing Without a License**

Would have increased the penalty for unlicensed dispensing of dangerous drugs or dangerous devices to include the option of felony prosecution.

**Died in**  
**Assembly**  
**Appropriation**  
**Committee**

**AB 425**  
**Oropeza**

**2002-03 Budget Act**

Authorizes loans from the Board of Pharmacy to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. **Urgency Measure Effective July 1, 2002.**

**Enacted**  
**Chapter #379**

**AB 1292**  
**Aroner**

**Hypodermic Needles and Syringes**

Would have enacted the Syringe Pharmacy Sale and Disease Prevention Act; authorized only pharmacists in a licensed pharmacy to furnish or sell hypodermic needles or syringes without a prescription or permit; and provided additional provisions relative to the storage, disposal, and public information regarding hypodermic needles and syringes. In addition, this bill would have required the Legislative Analyst's office to review safe syringe disposal programs in other states and report its findings to the Legislature.

**Withdrawn by**  
**Author**

**AB 2045**  
**Matthews**

**Disciplinary Action: Pharmacist-In-Charge**

Requires the California State Board of Pharmacy to consider the reporting of a violation by a pharmacist-in-charge as a mitigating factor in a disciplinary action against that pharmacist for a violation committed by another person practicing in his/her pharmacy.

**Enacted**  
**Chapter #562**



<b>AB 2165</b> <b>Strom-Martin</b>	<b><u>Licensure Examination: Pharmacist Shortage</u></b>  Declares legislative findings relative to the shortage of pharmacists in California and the California and national pharmacy licensure examinations. Additionally, this statute formally requests that the Joint Legislative Sunset Review Committee address the issue of alleviating the pharmacist shortage as part of the Board of Pharmacy's sunset review in 2002/2003.	<b>Enacted</b> <b>Chapter #577</b>
<b>AB 2191</b> <b>Migden</b>	<b><u>Medical Records: Confidentiality</u></b>  Makes pharmaceutical compaines subject to the Confidentiality of Medical Information Act relative to the disclosure of confidential patient information.	<b>Enacted</b> <b>Chapter #853</b>
<b>AB 2655</b> <b>Matthews</b>	<b><u>Schedule II Controlled Substances</u></b>  See Page (B19)	<b>Enacted</b> <b>Chapter #345</b>
<b>AB 2935</b> <b>Strom-Martin</b>	<b><u>Pharmacists: Scholarship and Loan Repayment Program</u></b>  Establishes the California Pharmacist Scholarship and Loan Repayment Program (Program) to pay for the educational expenses of pharmacy school students and repay qualifying educational loans of pharmacists who agree to practice in medically underserved areas. The Program will be established under the Office of Statewide Health Planning and Development, and will be funded by a voluntary \$25 contribution by pharmacists or pharmacies at the time of their licensure renewal.	<b>Enacted</b> <b>Chapter</b> <b>#1138</b>
<b>SB 119</b> <b>Haynes</b>	<b><u>Psychiatric Medications for Minors</u></b>  Among other provisions, would have required the Board of Pharmacy to track the prescribing of psychiatric medications for minors in the state and make this information available to the Legislature and other state entities on an ongoing basis.	<b>Died in</b> <b>Senate</b> <b>Business &amp;</b> <b>Professions</b> <b>Committee</b>
<b>SB 1278</b> <b>Speier</b>	<b><u>Pharmacies: Medicare Prescription Benefits</u></b>  Among other provisions, requires pharmacies, as a condition of participation in Medi-Cal, to post a sign (developed and provided by the Department of Health Services) to remind Medicare beneficiaries to ask for the Medi-Cal reimbursement rate.	<b>Enacted</b> <b>Chapter #542</b>
<b>SB 1734</b> <b>Vasconcellos</b>	<b><u>Clean Needle and Syringe Exchange</u></b>  Would have prohibited the prosecution of individuals operating an authorized needle exchange program for the distribution of devices or substances necessary to ensure the safety and cleanliness of needles or syringes.	<b>Vetoed</b>

<b>SB 1785</b> <b>Vasconcellos</b>	<b><u>Hypodermic Needles and Syringes</u></b>  Would have authorized a licensed pharmacist to sell hypodermic needles or syringes to adults 18 years and older without a prescription under specified conditions. Among other requirements, this bill would have also increased the criminal penalty for improper disposal of hypodermic needles and syringes in certain cases.  In his veto message, the Governor states that he is committed to the underlying goal of SB 1785, which is to reduce the transmission of HIV and hepatitis C among injection drug users. However, this bill undermines those areas that won his support for prior legislation regarding the use of hypodermic needles and syringes. These areas include the elimination of the following requirements: one-for-one exchange of syringes and that needle exchange programs be conducted with local government approval, ongoing oversight and as the result of a declared health emergency.	<b>Vetoed</b>
<b>SB 1943</b> <b>Perata</b>	<b><u>Schedule II Controlled Substances</u></b>  See Page (B19)	<b>Withdrawn by Author</b>
<b>SB 2019</b> <b>Speier</b>	<b><u>Health Care Practitioners: Student Loans</u></b>  See Page (B11)	<b>Enacted Chapter #683</b>
<b>SB 2026</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Professions and Vocations</u></b>  Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Board of Behavioral Science, Board of Professional Engineers and Land Surveyors, Bureau of Security and Investigative Services, Contractors' State License Board, Board of Pharmacy, Physical Therapy board, and other related programs.	<b>Enacted Chapter #1013</b>
<div style="border: 1px solid black; padding: 5px; display: inline-block;"><b>(26) PHYSICAL THERAPY BOARD</b></div>		
<b>SB 1955</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  Implements the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs for the Physical Therapy Board.	<b>Enacted Chapter #1150</b>
<b>SB 2026</b> <b>Committee on Business and Professions</b>	<b><u>Professions and Vocations</u></b>  Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to the Board of Behavioral Science, Board of Professional Engineers and Land Surveyors, Bureau of Security and Investigative Services, Contractors' State License Board, Board of Pharmacy, Physical Therapy board, and other related programs.	<b>Enacted Chapter #1013</b>
<div style="border: 1px solid black; padding: 5px; display: inline-block;"><b>(27) PHYSICIAN ASSISTANT COMMITTEE</b></div>		
<b>AB 1158</b> <b>Cardenas</b>	<b><u>Medical Professionals: Sex Offenses</u></b>  See Page (B19)	<b>Died on Assembly Floor</b>

<b>SB 1558</b> <b>Figueroa</b>	<b><u>Dangerous Drug or Dangerous Device Samples</u></b>  Authorizes a certified nurse-midwife, nurse practitioner, or a physician assistant, functioning pursuant to standardized procedures or protocols, to request complimentary prescription drug samples if the drugs have been identified in the standardized procedure, protocol, or practice agreement. <b>Urgency Measure Effective August 26, 2002.</b>	<b>Enacted</b> <b>Chapter #263</b>
<b>SB 1950</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  See Page (B19)	<b>Enacted</b> <b>Chapter</b> <b>#1085</b>
<b>(28) PODIATRIC MEDICINE, BOARD OF</b>		
<b>AB 2196</b> <b>Lowenthal</b>	<b><u>Podiatrists</u></b>  Permits a licensed podiatrist to use the professional designations "doctor of podiatric medicine," "doctor of podiatry," and "podiatric doctor," or the initials "D.P.M.," without being in violation of the Medical Practice Act, which limits the use of the word "doctor" to licensed physicians and surgeons.	<b>Enacted</b> <b>Chapter #87</b>
<b>SB 15</b> <b>Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7)	<b>Withdrawn by</b> <b>Author</b>
<b>SB 150</b> <b>Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b>  See Page (B7)	<b>Died in</b> <b>Senate</b> <b>Judiciary</b> <b>Committee</b>
<b>SB 1955</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  Implements the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs for the Board of Podiatric Medicine.	<b>Enacted</b> <b>Chapter</b> <b>#1150</b>
<b>SB 2019</b> <b>Speier</b>	<b><u>Health Care Practitioners: Student Loans</u></b>  See Page (B11)	<b>Enacted</b> <b>Chapter #683</b>
<b>SB 2025</b> <b>Senate</b> <b>Business &amp;</b> <b>Professions</b> <b>Committee</b>	<b><u>805 Reports: Peer Review</u></b>  Requires that an 805 report be filed if a licentiate resigns, requests a leave of absence, or withdraws or abandons an application for staff privileges after receiving notice of an impending investigation or denial or rejection of his/her application. <b>Urgency Measure Effective September 27, 2002.</b>	<b>Enacted</b> <b>Chapter #1012</b>

## (29) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION, BUREAU FOR

**AB 2967  
Wright**

### **Bureau for Private Postsecondary and Vocational Education**

**Enacted  
Chapter #581**

Clarifies for institutions under the authority of the Bureau for Private Postsecondary and Vocational Education (Bureau) their responsibility for remitting Student Tuition Recovery Fund (STRF) fees on behalf of their students. Additionally, requires the Bureau to report to the Legislature annually a statistical summary of complaints and how they're handled. Also makes technical, clarifying changes to existing law, deleting obsolete references to the Bureau's predecessor. And finally, authorizes the Bureau to review registered institutions' information at least every three years, and gives the Bureau an extra 20 days to conduct hearings for institutions against which the Board has taken action.

**SB 1001  
Ackerman**

### **Private Postsecondary Educational Institutions: Licensure Exemption**

**Died Senate  
Education  
Committee**

Would have exempted from licensure and regulation under the Private Postsecondary and Vocational Education Reform Act of 1989 nonprofit institutions accredited by the senior or junior commission of the Western Association of Schools and Colleges or accredited by the other regional institutional accrediting bodies recognized by the United States Department of Education, if the institution exclusively confers degrees upon the completion of a course of study of one or more years.

## (30) PSYCHOLOGY, BOARD OF

**AB 425  
Oropeza**

### **2002-03 Budget Act**

**Enacted  
Chapter #379**

Authorizes loans from the Board of Psychology to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the legislature. Urgency Measure effective July 1, 2002.

**AB 1158  
Cardenas**

### **Medical Professionals: Sex Offenses**

**Died on  
Assembly Floor**

See Page (B19)

**AB 2316  
Chu**

### **Mental Health: Involuntary Confinements: Psychologists**

**Failed in  
Assembly  
Health  
Committee**

Would have provided for the involuntary detention and treatment of any person with a mental disorder who, as a result of the mental disorder, was a danger to others or to himself or herself, or was gravely disabled. Also would have provided that a psychologist who is directly responsible for the patient's treatment may also make those determinations.

**AB 2920  
Aroner**

### **California Center on Social Work Careers**

**Vetoed**

See Page (B7)

**SB 15  
Figueroa**

### **Health Professionals Discipline Process**

**Withdrawn by  
Author**

See Page (B7)

<b>SB 150</b> <b>Figueroa</b>	<b><u>Health Professionals Discipline Process</u></b> See Page (B7)	<b>Died in Senate Judiciary Committee</b>
<b>SB 564</b> <b>Speier</b>	<b><u>Healing Arts: Training in Spousal or Partner Abuse Treatment</u></b> See Page (B7)	<b>Enacted Chapter #481</b>
<b>SB 953</b> <b>Vasconcellos</b>	<b><u>Aging</u></b> See Page (B7)	<b>Enacted Chapter #541</b>
<b>SB 1479</b> <b>Morrow</b>	<b><u>Premarital Preparation Course</u></b> See Page (C2)	<b>Vetoed</b>
<b>SB 2019</b> <b>Speier</b>	<b><u>Health Care Practitioners: Student Loans</u></b> See Page (B11)	<b>Enacted Chapter #683</b>
<b>SB 2025</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>Sunset Date</u></b> Extends the sunset date for the Board of Psychology for one year to July 1, 2006, with a repeal date of January 1, 2007. <b>Urgency Measure Effective September 27, 2002.</b>	<b>Enacted Chapter #1012</b>
<b>SB 2025</b> <b>Senate Business &amp; Professions Committee</b>	<b><u>805 Reports: Peer Review</u></b> Requires that an 805 report be filed if a licentiate resigns, requests a leave of absence, or withdraws or abandons an application for staff privileges after receiving notice of an impending investigation or denial or rejection of his/her application. <b>Urgency Measure Effective September 27, 2002.</b>	<b>Enacted Chapter #1012</b>
<b>(31) REGISTERED NURSING, BOARD OF</b>		
<b>AB 338</b> <b>Correa</b>	<b><u>Nursing Education: Orange County Demonstration Project</u></b> Would have created a demonstration project to address the nursing shortage in Orange County as a public/private partnership. Would have allocated state funds to Santa Ana College, Saddleback College, Golden West College, and California State University, Fullerton. Also would have required those funds to be equally matched by participating hospitals within Orange County up to \$1,700,000, and would have prohibited the state funds from being encumbered unless and until the matching funds have been received by the educational institution.	<b>Failed in Senate Appropriations Committee</b>
<b>AB 425</b> <b>Oropeza</b>	<b><u>2002-03 Budget Act</u></b> Authorizes loans from the Board of Registered Nursing to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. <b>Urgency Measure Effective July 1, 2002.</b>	<b>Enacted Chapter #379</b>

<b>AB 1140 Thomson</b>	<b><u>Shortage of Registered Nurses</u></b>  Requires the Board of Registered Nursing to collect practice status-related data from its licensees, either at the time of license renewal or via a sample survey, or both; to post the data on its website; and to issue a status report at least every two years.	<b>Enacted Chapter #1089</b>
<b>AB 2077 Koretz</b>	<b><u>Nursing: Education Resources</u></b>  Would have established the Community College Nursing Education Fund to allocate additional funds per nursing student to eligible community college districts.	<b>Failed Senate Education Committee</b>
<b>AB 2314 Thomson</b>	<b><u>Nursing Education</u></b>  This Department-sponsored statute standardizes nursing school admissions requirements among all of the California Community Colleges (CCCs) and the California State Universities (CSUs) by requiring standardized nursing program prerequisites and transfer agreements for all campuses within each system by September 1, 2005.	<b>Enacted Chapter #1093</b>
<b>AB 2528 Jackson</b>	<b><u>Postsecondary Education: Nursing Science</u></b>  This bill was a spot bill that expressed the Legislature's intent to make interest-free loans available to nursing students enrolled in postsecondary nursing programs in California.	<b>Failed on Assembly Floor</b>
<b>AB 2762 Salinas</b>	<b><u>Health Planning &amp; Development: Nursing Recruitment &amp; Outreach</u></b>  Would have required the Office of Statewide Health Planning and Development to conduct a two-year demonstration project, funded by the Health Professions Education Fund, to evaluate the effectiveness of conducting nursing recruitment and outreach to junior high and high school students, and to report the results to the Legislature by November 1, 2004.	<b>Failed in Assembly Health Committee</b>
<b>SB 317 Ortiz</b>	<b><u>Registered Nursing</u></b>  Would have created two programs to increase the number of qualified registered nurses in the state and to increase health care services in underserved areas of the state.	<b>Died on Senate Floor</b>
<b>SB 993 Figueroa</b>	<b><u>Nursing</u></b>  Sponsored by the California Nurse Midwives Association and supported by the Board of Registered Nursing, this bill clarifies that certified nurse midwives (CNMs) and nurse practitioners (NPs), with appropriate physician supervision, are statutorily authorized to prescribe drugs and medical devices, regardless of the specifics of their administrative structure and business status.	<b>Enacted Chapter #764</b>
<b>SB 1558 Figueroa</b>	<b><u>Dangerous Drug or Dangerous Device Samples</u></b>  See Page (B-27)	<b>Enacted Chapter #263</b>

<b>SB 2008</b> <b>Speier</b>	<b><u>Nursing: Assumption Program of Loans for Nursing Education</u></b>  Would have established a special state loan repayment program for registered nursing students: the Assumption Program of Loans for Nursing Education, to be administered by the California Student Aid Commission.	<b>Vetoed</b>
<b>SB 2021</b> <b>Senate</b> <b>Business &amp; Professions Committee</b>	<b><u>Healing Arts</u></b>  Sponsored by the Department of Consumer Affairs, and proposes technical amendments that either enact, amend, or repeal provisions relating to the Board of Registered Nursing.	<b>Enacted</b> <b>Chapter #1011</b>
<b>SB 2022</b> <b>Figueroa</b>	<b><u>Board of Registered Nursing: Miscellaneous Issue</u></b>  Provides a non-substantive change to the Nursing Practice Act to delete the specification that a money order for fees required by the Board of Registered Nursing be a "postal" money order.	<b>Enacted</b> <b>Chapter #810</b>
<b>SB 2075</b> <b>Romero</b>	<b><u>Health Professions Development: Nursing Education Grants</u></b>  Would have required the Office of Statewide Health Planning and Development to establish and administer a nursing education grant program to provide one time stipends of up to \$400 to eligible nursing students to defray the costs of essential items of clothing and equipment that nursing students must purchase in order to attend nursing school.	<b>Failed in</b> <b>Senate Health &amp; Health Services Committee</b>

## (32) RESPIRATORY CARE BOARD

<b>SB 1955</b> <b>Figueroa</b>	<b><u>Healing Arts</u></b>  Implements the recommendations of the Joint Legislative Sunset Review Committee and the Department of Consumer Affairs for the Respiratory Care Board.	<b>Enacted</b> <b>Chapter #1150</b>
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## (33) SECURITY AND INVESTIGATIVE SERVICES, BUREAU OF

<b>AB 143</b> <b>Washington</b>	<b><u>Locksmiths: Bonding Requirements</u></b>  Would have required locksmiths that are not licensed as contractors to maintain a \$250,000 liability insurance policy for the benefit of consumers damaged by a locksmith's failure to comply with specified duties and regulations.	<b>Died Assembly</b> <b>Business &amp; Professions Committee</b>
<b>AB 248</b> <b>Correa</b>	<b><u>Regulation of Proprietary Security Guards</u></b>  Would have required proprietary security guards that work regularly and exclusively for the same employer to undergo a criminal history background check and to become registered with the Bureau of Security and Investigative Services (BSIS) in the same fashion as contract security guards working for private security companies. Proprietary guards can be found working at malls, hospitals, grocery stores, etc., and under current law, they are not required to register with BSIS or undergo criminal history background checks. However, contract security guards working for private security companies are subject to state regulation and criminal history checks.	<b>Vetoed</b>

<b>AB 354 Havice</b>	<b><u>School Safety: School Security Officers: Training</u></b>  Would have required every school security officer employed by a school district to complete training developed by the Bureau of Security and Investigative Services.	<b>Died in Assembly Appropriations Committee</b>
<b>AB 1195 Correa</b>	<b><u>Public Safety Officers</u></b>  Would have provided that no public safety officer shall be subjected to punitive action or threatened with any punitive action because of the lawful exercise of rights under the Public Safety Officers Procedural Bill of Rights Act, any existing grievance procedure, or the state or federal constitution.	<b>Failed First House</b>
<b>AB 1339 Keeley</b>	<b><u>School Security Training: Peace Officers</u></b>  Would have required the Bureau of Security and Investigative Services to develop a school security training manual, and to license all training instructors and facilities that teach school security training. Also would have required all sworn peace officers working predominantly on school campuses to complete the specialized school security training course offered through the Commission on Peace Officer Standards and Training.	<b>Died in Assembly Appropriations Committee</b>
<b>AB 1506 Negrete McLeod</b>	<b><u>Unclaimed Property: Private Investigators: Attorneys: Accountants</u></b>  Would have specified that only certain licensed professionals (private investigators, attorneys, public accountants, and persons who have certain fiduciary duties) would be allowed to enter into agreements with heirs to locate and recover unclaimed property that has reverted to the state. This bill was substantially amended on May 1, 2002 by Assembly Member Wesson, and the enacted statute no longer pertains to DCA.	<b>Enacted Chapter #868</b>
<b>AB 1840 Diaz</b>	<b><u>Private Security Services: Peace Officer Exemption</u></b>  Exempts currently employed, full-time peace officers working as security guards from submitting fingerprints as part of the security guard registration process. Also exempts peace officers from obtaining a firearm permit and paying related fees if they have approval from their primary employer to carry a firearm while working as an armed security guard.	<b>Enacted Chapter #689</b>
<b>AB 1883 Kelley</b>	<b><u>Repossessors</u></b>  Clarifies and increases the Bureau of Security and Investigative Services' authority to take disciplinary action against reposessor applicants who are dishonest on their applications, and makes it a misdemeanor for an applicant to knowingly make a false statement on their applications. Also requires applicants to sign their applications and requires the applications to include a notice that a false statement could result in disciplinary action. Also redefines the requirements of a "qualified manager" to specify that s/he may be in charge of only one licensed agency location in order to limit the practice of operating several offices at reduced hours of operation.	<b>Enacted Chapter #402</b>



**AB 2780**  
**Corbett**

**Private Security Services: Complaints**

**Enacted**  
**Chapter #884**

Clarifies that any person in the state may file a complaint with the Bureau of Security and Investigative Services (BSIS) about a private security company or a security guard, and requires BSIS to respond to such complaints within ten days, consistent with existing law. Also adds whistleblower language that prohibits a private security company from retaliating against a security guard who files a complaint against the company, and clarifies that the Department of Consumer Affairs and BSIS are not responsible for resolving whistleblower allegations brought under this provision.

**AB 2880**  
**Chavez**

**Private Security Services: Training Requirements**

**Enacted**  
**Chapter #886**

Increases training standards for security guards from the existing three hours to 40 hours total, effective July 2004, by increasing the pre-assignment Powers to Arrest training course from three hours to eight hours and requiring an additional 32 hours of training to be completed within six months. Raises security guard initial registration fees from \$40 to \$50 and biennial renewal fees from \$30 to \$35 to pay for the costs associated with implementing the statute. Also requires private security companies to provide eight hours of annual review and practice training to security guards.

**AB 2928**  
**Koretz**

**Private Security Services: Employee Wages**

**Enacted**  
**Chapter #1072**

Would have deleted the provision that permits a private security company to pay the application fee on behalf of an applicant security guard and then withhold the amount of the fee from the applicant's wages. This statute was substantially amended by Assembly Member Matthews on August 26, 2002 and the enacted statute no longer pertains to DCA.

**SB 1241**  
**Figueroa**

**Private Security Services: Temporary Registration Cards**

**Enacted**  
**Chapter #609**

Requires security guards to undergo a state and federal criminal history check before beginning work by removing the provision that allows them to work on a temporary registration card pending the completion of the criminal history check and approval by the Bureau of Security and Investigative Services (BSIS). Under current law, security guards may begin work immediately pending approval by BSIS after submitting an application to BSIS, completing the three-hour Powers to Arrest course, and self-declaring that they do not have any criminal convictions.

**SB 1422**  
**Burton**

**Private Investigator Act: Labor Management Committee Exemption**

**Enacted**  
**Chapter #895**

Exempts from the Private Investigator Act any joint labor-management committee established pursuant to the federal Labor Management Cooperation Act of 1978, or its employees, when the committee or its employee is performing a function authorized by the Labor Management Cooperation Act, including, but not limited to, monitoring public works projects to ensure that employees are complying with federal and state public works laws.

**SB 1637**  
**Romero**

**Private Investigators: Search Warrants**

**Enacted**  
**Chapter #900**

Would have established procedures for the execution of a search warrant on a licensed private investigator who has worked for an attorney or has been appointed by the court to assist a defendant by requiring the court to appoint a special master to accompany the person serving the warrant. This bill was substantially amended on August 28, 2002 by Senator Torlakson and the enacted statute no longer pertains to DCA.

**SB 2026**  
**Committee**  
**on Business**  
**and**  
**Professions**

**New Car Dealers: Exemption for Locksmith Act**

**Enacted**  
**Chapter #1013**

Exempts from the Locksmith Act new motor vehicle dealers and their employees acting within the scope of employment at a dealership. The Bureau of Security and Investigative Services already interprets the Locksmith Act to exempt car dealerships from the Locksmith Act, and this statute simply clarifies the codes. See below for a more general description of SB 2026, which is a committee omnibus bill pertaining to various boards and bureaus within DCA.

**SB 2026**  
**Committee**  
**on Business**  
**and**  
**Professions**

**Professions and Vocations**

**Enacted**  
**Chapter #1013**

Makes several noncontroversial and nonsubstantive amendments that enact, amend, or repeal existing provisions relating to Bureau of Security and Investigative Services.

**(34) SMOG CHECK PROGRAM**  
**(see also Bureau of Automotive Repair)**

**AB 1058**  
**Pavley**

**Vehicular Emissions: Greenhouse Gases**

**Died on**  
**Assembly Floor**

Would have required the Air Resources Board (ARB) to develop and adopt regulations by January 1, 2005, that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from new passenger vehicles, beginning with the 2009 model year. The ARB would have been required to report the contents of the adopted regulations to the Legislature by January 1, 2005. The requirements of this bill became law by the passage of AB 1493 (Pavley, Ch. 200, Stats. 2002).

**AB 1493**  
**Pavley**

**Vehicular Emissions: Greenhouse Gases**

**Enacted**  
**Chapter #200**

Requires the Air Resources Board (ARB) to develop and adopt regulations by January 1, 2005, that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from new passenger vehicles, beginning with the 2009 model year. Requires the ARB to report the contents of the adopted regulations to the Legislature by January 1, 2005. The provisions of this bill were introduced in AB 1058, which died on the Assembly floor.

**AB 2303**  
**Runner**

**Vehicle Registration: Smog Certificate Validity**

**Enacted**  
**Chapter #127**

Extends the valid period of a smog check certificate from 60 days to 90 days for purposes of transferring a vehicle's ownership.

<b>AB 2637</b> <b>Cardoza</b>	<b><u>Air Pollution: Enhanced Motor Vehicle Inspection and Maintenance Program: San Francisco Bay Area Basin</u></b>	<b>Enacted Chapter #1001</b>
	Phases-in the establishment of the Smog Check II (enhanced vehicle inspection and maintenance) Program in the San Francisco Bay Area Basin, extends the Smog Check exemption for newer vehicles up to six model-years old, expands the availability of the "Gold Shield" repair and certification program, and makes conforming changes related to these provisions.	
<b>AB 2682</b> <b>Chu</b>	<b><u>California Clean Communities and Petroleum Pollution Cleanup Act of 2002</u></b>	<b>Died in Assembly Appropriations</b>
	Would have imposed a 30 cent assessment on each barrel of crude oil received at refineries in California and allocates the generated revenue to support the following programs:	
	1) A CalEPA-administered program for funding projects addressing petroleum-related contamination of groundwater, marine and terrestrial surface waters, soil, and drinking water supplies.	
	2) Diesel emissions exposure reduction incentive projects and programs administered by local air districts and the current Lower-Emission School Bus Program administered by the Air Resources Board (ARB).	
<b>AB 2774</b> <b>Pavley</b>	<b><u>Advanced Technology Light-Duty Vehicles</u></b>	<b>Vetoed</b>
	Would have required the Secretary for Environmental Protection to appoint a voluntary task force to develop and design, according to specified criteria, an ongoing structure, plan, funding, and content for a public information and education campaign to encourage the use of advanced technology light-duty vehicles in this state that significantly reduce emissions of criteria pollutants, greenhouse gases, and toxic air contaminants in comparison to the average new light-duty vehicle. Also would have authorized the secretary to dissolve the task force if he or she determines that the task force is not able to fulfill specified purposes of the public information and education campaign.	
<b>SB 1420</b> <b>Johannessen</b>	<b><u>Vehicles: Noise Citations</u></b>	<b>Enacted Chapter #569</b>
	Requires Referee Smog Check stations, under contract with the Bureau of Automotive Repair (BAR), to provide muffler noise testing for vehicles that have been cited for noise level violations and issue certificates of compliance for vehicle exhaust systems that do not emit more than a specified noise level. Allows a court of law to dismiss an exhaust system noise violation if the vehicle owner produces a certificate of compliance from a referee station.	
<b>SB 1578</b> <b>Johannessen</b>	<b><u>Emission Control: Specially Constructed Vehicles</u></b>	<b>Enacted Chapter #693</b>
	Eliminates the requirement that the 500 registrations provided annually to specially constructed vehicles (kit cars) under SB 100 (Johannessen, Chapter 871, Statutes of 2001) be limited to initial registrations.	

## **(35) SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD**

**SB 1379**  
**O'Connell**

### **Speech-Language Pathologists: Endoscopies**

**Enacted**  
**Chapter #485**

This statute: (1) authorizes licensed speech-language pathologists to perform endoscopic procedures when evaluating voice and/or swallowing conditions; (2) authorizes the Speech-Language Pathology and Audiology Board to establish a site review committee to conduct onsite evaluations, inspections, and investigations of speech-language pathology assistant training programs; and (3) clarifies that speech-language pathology license applicants have one year to make up deficiencies in their licensing qualifications or their application will be deemed abandoned.

**SB 2021**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

### **Healing Arts**

**Enacted**  
**Chapter #1011**

Sponsored by the Department of Consumer Affairs, and proposes technical amendments that either enact, amend, or repeal provisions relating to the Speech-Language Pathology and Audiology Board.

## **(36) STRUCTURAL PEST CONTROL BOARD**

**AB 425**  
**Oropeza**

### **2002-03 Budget Act**

**Enacted**  
**Chapter #379**

Authorizes loans from the Structural Pest Control Board to the General Fund. Also requires the Director of DCA to issue a report on all loans initiated or repayments made within the preceding 12 months to the chairpersons of the budget committee, and the appropriate oversight committee of each house of the Legislature. **Urgency Measure Effective July 1, 2002.**

**AB 1993**  
**Correa**

### **Structural Pest Control Operators: Wood Destroying Pests**

**Failed First**  
**House**

Would have required that, when the inspection report discloses an infestation or infection and indicates that all treatment recommendations have or have not been completed, the notice of work completed must certify that the property is free of evidence in the visible and accessible areas or is being serviced with an approved treatment for an active infestation or infection and whether there are any exceptions.

**AB 2973**  
**Assembly**  
**Business &**  
**Professions**  
**Committee**

### **Regulation of the Structural Pest Control Board**

**Enacted**  
**Chapter #405**

This Department of Consumer Affairs-sponsored statute proposes nonsubstantive technical and clarifying changes that enact, amend, or repeal provisions relating to the regulatory programs of the Structural Pest Control Board.

**SB 305**  
**Machado**

### **Pest Control: Structural Pest Control Devices**

**Failed First**  
**House**

Would have repealed the Structural Pest Control Device Fund and required that the remaining balance be transferred to the Department of Pesticide Regulation Fund for the purpose of regulating structural pest control devices.

**SB 1463  
Machado**

**Structural Pest Control**

**Enacted  
Chapter #584**

Allows the Structural Pest Control Board or a county agricultural commissioner to direct a licensee who violates the laws or regulations relating to pesticides to attend and pass a Board-approved course of instruction in lieu of license suspension, or a fine, or require both a fine and course attendance for each violation.

**SB 2025  
Senate  
Business &  
Professions  
Committee**

**Sunset Date**

**Enacted  
Chapter #1012**

Extends the sunset date for the Structural Pest Control Board for one year to July 1, 2006, with a repeal date of January 1, 2007. **Urgency Measure Effective September 27, 2002.**

**(37) SUNSET REVIEW**

**AB 270  
Correa**

**Accountancy Board Composition**

**Enacted  
Chapter #231**

This pro-consumer statute ensures that the Board of Accountancy (Board) and its enforcement program are independent from the accountancy profession and that the Board is capable of, and willing to, protect the public. Among other things, changes the board's sunset date and revises its composition and membership so that there are more public members than accountants. Also requires licensees to report to the Board certain actions taken against the licensee including civil judgments and settlements.

**SB 1951  
Figueroa**

**Acupuncture Board: Sunset Review**

**Enacted  
Chapter #714**

Extends the sunset date of the California Acupuncture Board (Board) for two years to July 1, 2005, with a repeal date of January 1, 2006; requires the Little Hoover Commission to conduct specified comprehensive analyses, including the need to increase the educational requirements for acupuncturists; requires the Board to conduct two specified studies relative to the use of unlicensed assistants and continuing education requirements for licensed acupuncturists; amends existing statutes pursuant to the Acupuncture Board's request; and makes other changes relative to the Board pursuant to recommendations of the Joint Legislative Sunset Review Committee and Department of Consumer Affairs.

**SB 1953  
Figueroa**

**Contractors: Sunset Dates**

**Enacted  
Chapter #744**

Extends the sunset dates for the Contractors' State License Board (CSLB) and the CSLB Enforcement Program Monitor; authorizes CSLB to raise specified licensing fees for enforcement program enhancement; requires fingerprints from applicants for conducting criminal history record checks; and authorizes CSLB to access information from the Employment Development Department to verify an applicant's employment history.

**SB 1954  
Figueroa**

**State Board of Chiropractic Examiners: Sunset Review**

**Enacted  
Chapter #681**

Requires the California Board of Chiropractic Examiners (Chiropractic Board) to submit a report to the Legislature on September 1, 2005; thereby, commencing the next sunset review of the Chiropractic Board.

**Sunset Review**

**Enacted  
Chapter #1012**

Allows the chairperson of the appropriate policy committees of the Legislature to refer to the Joint Legislative Sunset Review Committee (JLSRC) issues to create regulatory categories and increase licensing requirements; deletes the requirement that issues referred to the JLSRC must be related to the sunset review of a particular board; extends the sunset dates for the California Architects Board, Landscape Architects Technical Committee, Board of Behavioral Sciences, Court Reporters Board of California, Board for Professional Engineers and Land Surveyors, Board for Geologists and Geophysicists, Board of Psychology, Structural Pest Control Board, and Veterinary Medical Board of California for one year, and extends the date by one year for the Osteopathic Medical Board to submit a report to the JLSRC. **Urgency Measure Effective September 27, 2002.**

**(38) TELEPHONE MEDICAL ADVICE SERVICES  
BUREAU**

No bills introduced in the 2001 legislative session.

**(39) VETERINARY MEDICINE, BOARD OF**

**Restricted Wild Animals: Veterinary Care**

**Enacted  
Chapter #453**

Authorizes veterinarians, registered veterinary technicians or unregistered veterinary assistants working under the supervision of a veterinarian to provide care and treatment for certain wild animals classified as restricted by the Department of Fish and Game (such as ferrets) that are illegal to possess in California. Also states that veterinarians, registered veterinary technicians or unregistered veterinary assistants are not required to report the possession of restricted animals.

**Veterinary Licensure: Veterinary School Exemption**

**Enacted  
Chapter #131**

Exempts the students and instructors of the College of Veterinary Medicine at Western University of Health Sciences (WU) from state licensure as veterinarians in the same way that existing law exempts the students and instructors of the University of California, Davis, School of Veterinary Medicine (UC Davis) from licensure. Also creates consumer safeguards in current law by: 1) requiring off-campus supervising veterinarians to be in good standing with the Veterinary Medical Board (VMB); 2) requiring veterinarians providing off-campus educational programs to display a notice informing consumers that the veterinary facilities are also being used for veterinary student teaching purposes; and 3) requiring the VMB to approve veterinary law courses taken by UC Davis and WU students that exempt them from taking the California Veterinary Law Examination required for licensure.

**SB 1345**  
**Kuehl**

**Animal Blood Donors**

Requires commercial animal blood banks licensed by the California Department of Food and Agriculture (CDFA) to submit a written protocol to CDFA describing how they provide housing and health care for animal blood donors, and would require CDFA to conduct annual inspections of the blood banks to ensure compliance with the stated protocols. Requires the blood bank's oversight veterinarian to submit an "oversight letter" to CDFA identifying the veterinarian responsible for oversight of the facility and requires a California-licensed veterinarian or registered veterinary technician under the direct supervision of a licensed veterinarian to perform anesthesia.

**Enacted**  
**Chapter #822**

**SB 1851**  
**Perata**

**Rodeos**

Would have expanded the definition of a rodeo, required a veterinarian to be present at certain rodeos (instead of on-call), and required rodeos to provide a 14-day advanced notification of the rodeo to the local animal control agency. Also would have required the Veterinary Medical Board (VMB) to adopt regulations to implement the requirement in existing law that rodeo veterinarians must report animal injuries to the VMB.

**Failed in**  
**Assembly Arts,**  
**Entertainment,**  
**Sports,**  
**Tourism &**  
**Internet Media**  
**Committee**

**SB 2025**  
**Senate**  
**Business &**  
**Professions**  
**Committee**

**Sunset Date**

Extends the sunset date for the Veterinary Medical Board of California for one year to July 1, 2005, with a repeal date of January 1, 2006. **Urgency Measure Effective September 27, 2002.**

**Enacted**  
**Chapter #1012**

<p><b>(40) VOCATIONAL NURSE AND PSYCHIATRIC TECHNICIANS, BOARD OF</b></p>
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**AB 1158**  
**Cardenas**

**Medical Professionals: Sex Offenses**

See page (B19)

**Died on**  
**Assembly Floor**

**SB 885**  
**Polanco**

**Los Angeles County College of Nursing and Allied Health**

Would have appropriated up to \$3,000,000 from the General Fund to the board of governors of the California Community Colleges, and required the board of governors to allocate these funds to the Los Angeles County College of Nursing and Allied Health. Would have further required that the college be allocated the same amount per full-time student as is allocated to the Los Angeles Community College District.

**Failed First**  
**House**

**SB 2022**  
**Figueroa**

**Board Quorum Requirement**

Increases the member quorum requirement for the Board of Vocational Nurses and Psychiatric Technicians from five to six.

**Enacted**  
**Chapter #810**